

|                |               |           |
|----------------|---------------|-----------|
| Hinchey        | Menendez      | Sabo      |
| Hoyer          | Mfume         | Sanders   |
| Jackson-Lee    | Miller (CA)   | Sawyer    |
| Johnson (SD)   | Mineta        | Schroeder |
| Johnson, E. B. | Minge         | Scott     |
| Johnston       | Mink          | Serrano   |
| Kennedy (MA)   | Moakley       | Skaggs    |
| Kennedy (RI)   | Nadler        | Slaughter |
| Kennelly       | Neal          | Stark     |
| Kildee         | Oberstar      | Stokes    |
| Lantos         | Obey          | Studds    |
| Levin          | Olver         | Thompson  |
| Lewis (GA)     | Owens         | Torres    |
| Lofgren        | Pastor        | Towns     |
| Lowe           | Payne (NJ)    | Tucker    |
| Luther         | Pelosi        | Velazquez |
| Maloney        | Poshard       | Vento     |
| Markey         | Rahall        | Ward      |
| Martinez       | Reed          | Waters    |
| Matsui         | Reynolds      | Watt (NC) |
| McCarthy       | Rivers        | Waxman    |
| McDermott      | Roemer        | Williams  |
| McKinney       | Rose          | Woolsey   |
| Meehan         | Roybal-Allard | Wyden     |
| Meek           | Rush          |           |

## NOT VOTING—7

|             |          |       |
|-------------|----------|-------|
| Fields (TX) | Rangel   | Yates |
| Klecza      | Thornton |       |
| LaFalce     | Wilson   |       |

So the amendment was agreed to.

## ¶79.18 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. BERMAN:

Strike out section 1224 (page 398, line 22 through page 402, line 22).

|                       |     |     |
|-----------------------|-----|-----|
| It was decided in the | Yea | 152 |
| negative              | Nay | 276 |

## ¶79.19 [Roll No. 377]

## AYES—152

|              |               |               |
|--------------|---------------|---------------|
| Abercrombie  | Hastings (FL) | Owens         |
| Andrews      | Hinchey       | Pallone       |
| Baessler     | Hoekstra      | Paxon         |
| Baldacci     | Holden        | Payne (NJ)    |
| Barrett (WI) | Horn          | Pelosi        |
| Becerra      | Jackson-Lee   | Petri         |
| Beilenson    | Jacobs        | Pomeroy       |
| Bentsen      | Jefferson     | Poshard       |
| Berman       | Johnson (SD)  | Rahall        |
| Bishop       | Johnston      | Ramstad       |
| Blute        | Kanjorski     | Rangel        |
| Bonior       | Kaptur        | Reynolds      |
| Boucher      | Kasich        | Richardson    |
| Brown (FL)   | Kennedy (MA)  | Rivers        |
| Brown (OH)   | Kildee        | Rohrabacher   |
| Brownback    | Klug          | Rose          |
| Bryant (TX)  | Lantos        | Roukema       |
| Bunn         | Latham        | Roybal-Allard |
| Chenoweth    | Leach         | Royce         |
| Clay         | Lewis (GA)    | Rush          |
| Clayton      | Lincoln       | Sabo          |
| Clyburn      | LoBiondo      | Sanders       |
| Coble        | Lowe          | Sanford       |
| Coburn       | Luther        | Sawyer        |
| Collins (IL) | Maloney       | Schroeder     |
| Collins (MI) | Markey        | Schumer       |
| Conyers      | Martinez      | Sensenbrenner |
| Deal         | Matsui        | Shays         |
| DeFazio      | McCarthy      | Skaggs        |
| Dellums      | McDermott     | Slaughter     |
| Deutsch      | McHale        | Stark         |
| Dixon        | McKinney      | Stokes        |
| Doggett      | Meehan        | Studds        |
| Dooley       | Meek          | Torres        |
| Doyle        | Menendez      | Torricelli    |
| Duncan       | Metcalfe      | Towns         |
| Durbin       | Mfume         | Traficant     |
| Engel        | Miller (CA)   | Tucker        |
| English      | Mineta        | Upton         |
| Eshoo        | Minge         | Velazquez     |
| Evans        | Mink          | Vento         |
| Farr         | Moakley       | Visclosky     |
| Fields (LA)  | Moran         | Waters        |
| Filner       | Morella       | Watt (NC)     |
| Foglietta    | Nadler        | Waxman        |
| Franks (NJ)  | Neumann       | Whitfield     |
| Furse        | Ney           | Williams      |
| Ganske       | Nussle        | Woolsey       |
| Gibbons      | Oberstar      | Wyden         |
| Gonzalez     | Obey          | Zimmer        |
| Gutierrez    | Olver         |               |

## NOES—276

|              |                |               |
|--------------|----------------|---------------|
| Ackerman     | Frelinghuysen  | Montgomery    |
| Allard       | Frisa          | Moorhead      |
| Archer       | Frost          | Murtha        |
| Armey        | Funderburk     | Myers         |
| Bachus       | Gallegly       | Myrick        |
| Baker (CA)   | Gejdenson      | Neal          |
| Baker (LA)   | Gekas          | Nethercutt    |
| Ballenger    | Gephardt       | Norwood       |
| Barcia       | Geren          | Ortiz         |
| Barr         | Gilchrest      | Orton         |
| Barrett (NE) | Gillmor        | Oxley         |
| Bartlett     | Gilman         | Packard       |
| Barton       | Goodlatte      | Parker        |
| Bass         | Goodling       | Pastor        |
| Bateman      | Gordon         | Payne (VA)    |
| Bereuter     | Goss           | Peterson (FL) |
| Bevill       | Graham         | Peterson (MN) |
| Billbray     | Green          | Pickett       |
| Billirakis   | Greenwood      | Pombo         |
| Bliley       | Gunderson      | Porter        |
| Boehlert     | Gutknecht      | Portman       |
| Boehner      | Hall (OH)      | Pryce         |
| Bonilla      | Hall (TX)      | Quillen       |
| Bono         | Hamilton       | Quinn         |
| Borski       | Hancock        | Radanovich    |
| Brewster     | Hansen         | Reed          |
| Browder      | Harman         | Regula        |
| Brown (CA)   | Hastert        | Riggs         |
| Bryant (TN)  | Hastings (WA)  | Roberts       |
| Bunning      | Hayes          | Roemer        |
| Burr         | Hayworth       | Rogers        |
| Burton       | Hefley         | Ros-Lehtinen  |
| Buyer        | Hefner         | Roth          |
| Callahan     | Heineman       | Salmon        |
| Calvert      | Herger         | Saxton        |
| Camp         | Hilleary       | Scarborough   |
| Canady       | Hilliard       | Schaefer      |
| Cardin       | Hobson         | Schiff        |
| Castle       | Hoke           | Scott         |
| Chabot       | Hostettler     | Seastrand     |
| Chambliss    | Houghton       | Serrano       |
| Chapman      | Hoyer          | Shadegg       |
| Christensen  | Hunter         | Shaw          |
| Chrysler     | Hutchinson     | Shuster       |
| Clement      | Hyde           | Sisisky       |
| Clinger      | Inglis         | Skeen         |
| Coleman      | Istook         | Skelton       |
| Collins (GA) | Johnson (CT)   | Smith (MI)    |
| Combest      | Johnson, E. B. | Smith (NJ)    |
| Condit       | Johnson, Sam   | Smith (TX)    |
| Cooley       | Jones          | Smith (WA)    |
| Costello     | Kelly          | Solomon       |
| Cox          | Kennedy (RI)   | Souder        |
| Coyne        | Kennelly       | Spence        |
| Cramer       | Kim            | Spratt        |
| Crane        | King           | Stearns       |
| Crapo        | Kingston       | Stenholm      |
| Creameans    | Klink          | Stockman      |
| Cubin        | Knollenberg    | Stump         |
| Cunningham   | Kolbe          | Stupak        |
| Danner       | LaHood         | Talent        |
| Davis        | Largent        | Tanner        |
| de la Garza  | LaTourrette    | Tate          |
| DeLauro      | Laughlin       | Tauzin        |
| DeLay        | Lazio          | Taylor (MS)   |
| Diaz-Balart  | Levin          | Taylor (NC)   |
| Dickey       | Lewis (CA)     | Tejeda        |
| Dicks        | Lewis (KY)     | Thomas        |
| Dingell      | Lightfoot      | Thompson      |
| Doolittle    | Linder         | Thornberry    |
| Dornan       | Lipinski       | Thurman       |
| Dreier       | Livingston     | Tiahrt        |
| Dunn         | Lofgren        | Torkildsen    |
| Edwards      | Longley        | Volkmer       |
| Ehlers       | Lucas          | Vucanovich    |
| Ehrlich      | Manton         | Waldholtz     |
| Emerson      | Manzullo       | Walker        |
| Ensign       | Martini        | Walsh         |
| Everett      | Mascara        | Wamp          |
| Ewing        | McCollum       | Ward          |
| Fattah       | McCrery        | Watts (OK)    |
| Fawell       | McDade         | Weldon (FL)   |
| Fazio        | McHugh         | Weldon (PA)   |
| Flake        | McInnis        | Weller        |
| Flanagan     | McIntosh       | White         |
| Foley        | McKeon         | Wicker        |
| Forbes       | McNulty        | Wise          |
| Ford         | Meyers         | Wolf          |
| Fowler       | Mica           | Wynn          |
| Fox          | Miller (FL)    | Young (AK)    |
| Frank (MA)   | Molinari       | Young (FL)    |
| Franks (CT)  | Mollohan       | Zeliff        |

## NOT VOTING—6

|             |          |        |
|-------------|----------|--------|
| Fields (TX) | LaFalce  | Wilson |
| Klecza      | Thornton | Yates  |

So the amendment was not agreed to.

## ¶79.20 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. KOLBE:

At the end of title X (page 377, after line 19), insert the following new section:

**SEC. 1033. USE OF INMATE LABOR AT MILITARY INSTALLATIONS.**

(a) USE OF INMATE LABOR AUTHORIZED.—(1) Chapter 155 of title 10, United States Code, is amended by adding at the end the following new section:

**“§2610. State and local correctional institutions: use of inmate labor**

“(a) USE OF INMATE LABOR.—The Secretary of a military department may enter into an agreement with a State or local government under which nonviolent offenders incarcerated in a correctional facility under the jurisdiction of that government may be made available to the Secretary to perform the services described in subsection (c) at a military installation under the jurisdiction of the Secretary.

“(b) EXPENSES.—(1) Except as provide in paragraph (2), in order to enter into an agreement pursuant to subsection (a), a State or local government shall agree to provide inmates to the Secretary of the military department concerned without charge to the Federal Government. The Secretary shall not provide compensation to an inmate who performs services pursuant to the agreement.

“(2) The Secretary may agree to reimburse the State or local government for administrative and other costs incurred by the government as a direct result of providing and overseeing inmate labor at a military installation. The Secretary may pay a nominal fee to support alcohol and drug abuse treatment programs for the inmates who perform services under the agreement. The Secretary may also furnish equipment, supplies, and other materials to be used by the inmates in performing services under the agreement and provide meals to the inmates while they are present at the installation.

“(c) AUTHORIZED SERVICES.—Subject to subsection (d), inmates provided to a military installation pursuant to an agreement under subsection (a) may be used to perform the following services:

“(1) Construction, maintenance, or repair of roads at the installation.

“(2) Clearing, maintaining, or reforestation of public lands.

“(3) Construction of levees or other flood prevention structures.

“(4) Custodial services.

“(5) Construction, maintenance, or repair of any other public works or works.

“(d) CONDITIONS ON ACCEPTANCE OF SERVICES.—The Secretary of the military department concerned shall ensure that the use of inmate labor at a military installation under this section does not—

“(1) displace Government employees or defense contractor employees at the installation;

“(2) impair a contract for the provision of services at the installation; or

“(3) involve the performance of services in skills, crafts, or trades in which there is a surplus of available gainful labor in the locality of the installation.

“(e) ACCEPTANCE OF SERVICES.—Notwithstanding section 1342 of title 31, United States Code, the Secretary may accept the services provided by inmates made available to a military installation pursuant to an agreement entered into under subsection (a).

“(f) APPLICATION OF OTHER LAWS.—The Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), section 1 of the Act of March 3, 1931 (Chapter 411; 40 U.S.C. 276a; commonly